

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR FENCE HEIGHT VARIANCE FROM 6 FT TO 8 FT; WILLIAM RANDALL TYRE, APPLICANT.

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

Agenda Date 06-23-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

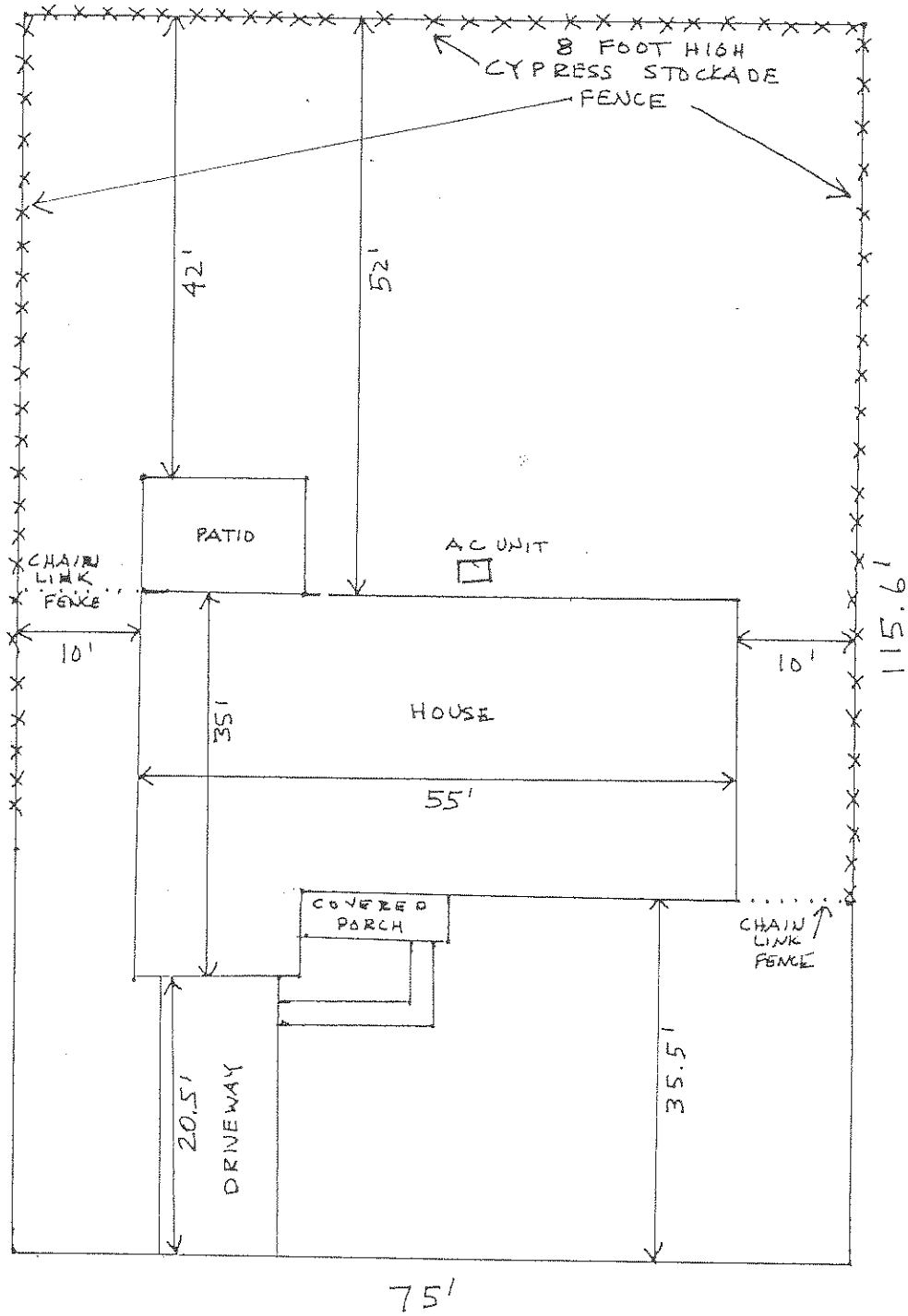
1. **APPROVE** THE REQUEST FOR FENCE HEIGHT VARIANCE FROM 6 FT TO 8 FT; WILLIAM RANDALL TYRE, APPLICANT; OR
2. **DENY** THE REQUEST FOR FENCE HEIGHT VARIANCE FROM 6 FT TO 8 FT; WILLIAM RANDALL TYRE, APPLICANT; OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #3, Van Der Weide)

(Francisco Torregrosa, Planner)

GENERAL INFORMATION	WILLIAM RANDALL TYRE 360 HICKORY DRIVE MAITLAND, FLORIDA 32751	R-1AA DISTRICT, LDC SECTION 30.1349(b)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT RECENTLY REPLACED AN 8 FT TALL NON-CONFORMING FENCE WITH AN IDENTICAL FENCE, WITHOUT THE REQUIRED BUILDING PERMIT. • THE ORIGINAL 8 FT FENCE WAS CONSTRUCTED PRIOR TO THE ADOPTION OF THE CURRENT FENCE STANDARDS IN 1992 AND WAS ALLOWED TO REMAIN AS A NONCONFORMING STRUCTURE. • THE REPLACEMENT OR ALTERATION OF THE SAME WOULD HAVE REQUIRED COMPLIANCE WITH THE CURRENT FENCE HEIGHT STANDARD OF 6 FT. • A VARIANCE FROM 6 FT TO 8 FT IS THEREBY REQUESTED TO MAKE THE NEW FENCE CONFORMING. 	
STAFF FINDINGS	<ul style="list-style-type: none"> • THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE, AS STATED IN LDC SECTION 30.43(b)(3). STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> ○ NO SPECIAL CONDITIONS PECULIAR TO THE PROPERTY HAVE BEEN IDENTIFIED TO JUSTIFY THE GRANT OF THE REQUESTED VARIANCE. ○ THE APPLICANT WOULD RETAIN REASONABLE USE OF 	

	THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE, SINCE THE OPPORTUNITY EXISTS TO ERECT A COMPLIANT PRIVACY FENCE WITHOUT A VARIANCE.
STAFF RECOMMENDATION	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUESTED AND MAKE THE APPROPRIATE FINDINGS OF FACT, UNLESS A HARDSHIP CAN BE DEMONSTRATED BY THE APPLICANT. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE FENCE AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITION CONDITIONS DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.



NORTH
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HICKORY DRIVE

Address: 360 Hickory Drive

SCALE
1" = 15'